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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,  
Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**Objection Of The USACM Liquidating Trust  
To Marcia C. & Henry Albiol's Claims  
Asserting Secured Status**

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Hearing Date: October 15, 2007  
Hearing Time: 9:30 a.m.

Marcia C. & Henry Albiol filed Proof of Claim Nos. 10725-02537, 10725-02538, and 10725-02539 against USA Commercial Mortgage Company ("USACM"). The Proof of Claim asserts a secured claim. The USACM Liquidating Trust (the "USACM Trust") hereby objects to Marcia C. & Henry Albiol's assertion that the claim is secured by a valid lien on USACM property and moves this Court, pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure, for an order reclassifying Claim Nos. 10725-02537, 10725-02538, and 10725-02539 as general unsecured claims. The USACM Trust is not, by this filing, objecting at this time to any of the claims as unsecured claims

1 or on grounds that the claims were untimely filed, but reserves the right to do so. The  
2 basis for this Objection is fully explained in the USACM Liquidating Trust's Motion for  
3 Summary Judgment Regarding (1) Responses to the USACM Trust's First through Thirty-  
4 Third Omnibus Objections to Claims Asserting a Secured Status; (2) Responses to the  
5 USACM Trust's First through Third Omnibus Objections to Claims Asserting a Priority  
6 Status; And (3) Newly Alleged Secured And Priority Claims (the "Motion"), filed today.  
7 The USACM Trust will serve a copy of the Motion with this objection.

8 Dated: July 30, 2007.

9  
10 **LEWIS AND ROCA LLP**

11 By: /s/ RC (#6593)

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